

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

-----X
FEDERAL TRADE COMMISSION,

Plaintiff,

- against -

RCG ADVANCES, LLC et al.,

Defendants.
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20-cv-04432-LAK

USDC SDNY

20-cv-04432-LAK

ELECTRONICALLY FILED

DOC #:

DATE FILED: 6/7/2022

NOTICE OF CROSS-MOTION

PLEASE TAKE NOTICE that upon the annexed memorandum dated May 13, 2022, the annexed declaration in support of cross-motion of Joseph P. Baratta, Esq. dated May 13, 2022, together with its annexed exhibits, the annexed declaration of Jonathan Braun in support of cross-motion dated May 13, 2022, together with its annexed exhibits, and upon all prior pleadings and proceedings herein, Defendant Jonathan Braun, through his undersigned counsel, will cross-move this Court, in the United States District Court for the Southern District of New York, 500 Pearl St., New York, New York 10007, on a date to be scheduled by the Court, for an order (1) pursuant to Fed. R. Civ. P. Rule 36(b) withdrawing the deemed admissions to the FTC's requests for admission and accepting the late responses Braun served on the FTC as the operative responses to the FTC's requests for admissions; and (2) pursuant to Fed. R. Civ. P. 15(a), allowing Braun to amend his answer to interpose a statute of limitations defense; and (3) granting such other and further relief as the Court deems just and proper.

Dated: New York, New York
May 13, 2022

BARATTA, BARATTA & AIDALA LLP

By: 

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Counsel for Defendant Braun

SO ORDERED


LEWIS A. KAPLAN, USDJ

6/7/22

*The cross-motion is denied
substantially for the reasons
stated by Plaintiff
in Pkt. 123.*